

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 11:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Deputy Clerk.

F035266 Robin Lyn E. v. Superior Court of Tulare County; Department of Public Social Services

Cause called and argued by Robin Lyn E., appellant in propria persona. Julia Shepard, Esq., Deputy County Counsel, counsel for real party waived oral argument.

Cause ordered submitted.

The court adjourns.

F034560 People v. Vasquez

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F034158 People v. Pugh

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F035952 Ruben S. v. Kern County Superior Court; Kern County Dept. of Human Services

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F034474 In re Randall G., a Minor

The judgment is modified to strike the portion of the court's order pertaining to the terrorist threat offense and the weapon possession offense that purports to impose the aggravated term of three years, with 28 months stayed, for each offense. The correct term for each of these offenses is eight months (one-third the middle term of two years), consecutive to the terms imposed for the assault offense and the great bodily injury enhancement attached to that offense. The juvenile court is directed to correct its paperwork in accord with this opinion, particularly its minutes for November 10, 1999, and to forward certified copies to the appropriate authorities. As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F035014 People v. Sanders

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F035386 In re Nicole T. a Minor

Fresno Co. Dept. Children & Family Services v. Huey T.

No brief or request for extension of time having been filed within the time provided, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F035234 People v. Conner

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F034052 Citizens for Historical Preservation of Downtown Merced v. Redevelopment Agency of the City of Merced; Mainplace Merced et al.

The appeal is dismissed. Appellant and its attorneys, Thomas A. Pedreira and David A. Fike are ordered to pay the clerk of this court \$3,378.95 as sanction for pursuing a frivolous appeal. As a further sanction they are ordered to pay to respondent all costs and attorney fees incurred in defending this appeal, the amount thereof to be determined by the superior court upon return of the remittitur. Appellant and its attorneys are jointly and severally liable for payment of the sanctions set forth above. Buckley, J.

We concur: Ardaiz, P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032694 People v. Matthews

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F035818 People v. Superior Court, Kern County; Berryman

Filed order vacating the opinion filed on August 10, 2000.

F035818 People v. Superior Court, Kern; Berryman

Let a writ of mandate issue directing the Kern County Superior Court to vacate its order of May 17, 2000, in Kern County Court case Nos. 34841 and HC006060A, denying petitioner's "Motion to Provide Petitioner Attorney General with Copies of Documents Under Seal Pursuant to Penal Code section 987.9 . . .," to reconsider the motion on the merits and to enter a new ruling on said motion in light of this opinion. Ardaiz, P.J.

We concur: Dibiaso, J.; Levy, J.

[CERTIFIED FOR PUBLICATION]

F035418 Matheney v. Johanson and Thomas Machine & Welding Shop et al.

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.